

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24320 of 2023

Arising Out of PS. Case No.-3 Year-2021 Thana- JHANJHARPUR District- Madhubani

1. VIKASH KUMAR SON OF VIJAY SAH @ LADDU SAH RESIDENT OF VILLAGE - KANHAULI, WARD NO. 6, P.S. - JHANJARPUR, DISTT. - MADHUBANI
2. ANUKUL KUMAR SON OF VIJAY SAH @ LADDU SAH (MINOR REPRESENTED THROUGH ITS GRANDFATHER NAMELY SHIV KUMAR SAH. RESIDENT OF VILLAGE - KANHAULI, WARD NO. 6, P.S. - JHANJARPUR, DISTT. - MADHUBANI
3. MANISHA KUMARI D/O VIJAY SAH @ VADDU SAH (MINOR REPRESENTED THROUGH HER GRAND FATHER NAMELY, SHIV KUMAR SAH RESIDENT OF VILLAGE - KANHAULI, WARD NO. 6, P.S. - JHANJARPUR, DISTT. - MADHUBANI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar , Advocate Rama Kant Sharma, Senior Advocate Lakshmi Kant Sharma, Advocate
For the State	:	Mr. Ganesh Prasad Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-07-2023 At the outset, learned counsel for the petitioner No 2 and 3 seeks permission to withdraw the pre-arrest bail petition.

This bail petition of petitioner No 2 and 3 is dismissed as withdrawn.

Heard learned counsel for the petitioner No 1 and the State.

Petitioner apprehends arrest in a case registered for



the offence punishable under sections 447, 448, 341, 323, 354, 302, 504/34 of the Indian Penal Code.

It is alleged that all the accused persons including this petitioner assaulted the husband of the informant namely Lalit Sah and thereafter her husband was taken to PMCH, Patna but during course of treatment he died.

It is submitted on behalf of the petitioner No 1 Vikash Kumar that he is the son of the co-accused Vijay Sah and there is no specific allegation of assault against him. He further submits that fardbeyan has been recorded after lapse of 11 days for which there is no plausible explanation which makes the prosecution doubtful. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner No 1, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Learned A.D.J. 1st Jhanjharpur, District- Madhubani in connection with Session Trial No. 232 of 2021 arising out of Jhanjharpur P.S Case No 03 of 2021, subject to the conditions



laid down under section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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